

#11
ATTORNEY DOCKET NO. MOCO.007.02US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVE

In re application of: Lassner, *et al.*

) Examiner: Not yet assigned

MAY 29 2001

Serial No.: 09/549,848

) Art Unit: 1643

TECH CENTER 1600/2

Filed: April 14, 2000

) **INFORMATION DISCLOSURE**
)) **STATEMENT COMMUNICATION**

For: NUCLEIC ACID SEQUENCES TO
PROTEINS INVOLVED IN
TOCOPHEROL SYNTHESIS

)
))
))

BOX DD

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants submit herewith copies of references A1 and C1-C6 as listed on the PTO-1449 form. Applicants have submitted all references.

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No.: EL737340474US

Date of Deposit: 5.22.01

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231.

Francis Guerra
(Signature)

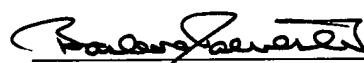
(Printed Name)

- [] Several of the enclosed publications were cited in a foreign examination report in a related case. A copy of the search report is attached.
- [] The search report is not in the English language and a translation of the search report is enclosed
- [] Enclosed in an explanation of the relevance of non-English publications for which an English translation is not available.
- [] The explanation is in form of an English language search report.

The subject application is believed patentable over any of the above references.

Respectfully submitted,

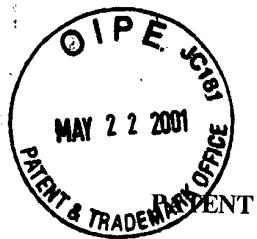
Dated: May 21, 2001



Barbara Rae Venter, Ph.D.
Reg. No. 32,750

RAE-VENTER LAW GROUP, P.C.
P.O. Box 60039
Palo Alto, CA 94306-0039
Telephone (650) 328-4400
Facsimile (650) 328-4477

BRV/cs



05-24-01

GAU 1643
#115
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Serial No.: 09/549,848

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MAY 29 2001

Filed: April 14, 2000

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TECH CENTER 1600/2900

Title: NUCLEIC ACID SEQUENCES TO
PROTEINS INVOLVED IN
TOCOPHEROL SYNTHESIS

) INFORMATION DISCLOSURE
)) STATEMENT TRANSMITTAL

BOX DD

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- An Information Disclosure Statement Communication.
- A copy of the PTO-1449 form.
- An International Search Report.
- Copies of references A1 and C1-C6 listed on the PTO-1449 form.
- Return postcard (postage prepaid).

CERTIFICATE OF EXPRESS MAILING

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(Signature)

(Printed Name)

Francis Guerra

1. [X] This Information Disclosure Statement is filed before the later of:

 - [] three months from the filing date of this national application;
 - [] three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
 - [X] the mailing date of a first office action on the merits.

[X] In accordance with 37 C.F.R. § 1.97(b), no fee is required.
2. [] This Information Disclosure Statement is filed after the events noted in paragraph 2, but before either:

 - (1) a final action under 37 C.F.R. § 1.113; or
 - (2) a Notice of Allowance under 37 C.F.R. § 1.311.

[] In accordance with 37 C.F.R. § 1.97(c) also enclosed is:

 - [] a fee under 37 C.F.R. § 1.17(p) in the amount of \$240; or
 - [] a certification as stated below.
3. [] This Information Disclosure statement is filed before the payment of the issue fee, but after either:

 - (1) a final action under 37 C.F.R. § 1.113; or
 - (2) a Notice of Allowance under 37 C.F.R. § 1.311.

[] In accordance with 37 C.F.R. § 1.97(d) also enclosed is:

 - (1) A certification, as stated below;
 - (2) A Petition requesting consideration of the Information Disclosure Statement; and
 - (3) The petition fee set forth in 37 C.F.R. § 1.17(i)(1) in the amount of \$130.

Certification

The undersigned also states:

- [] Each item of information contained in the Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- [] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

TOTAL FEES: \$

- [] A check including the amount of the above-indicated TOTAL FEES is attached.
- [] Please charge Deposit Account No. 18-0020 in the amount of: \$ _____.
- [] A check in the amount of \$ _____ is attached.
- [X] No fee is required.
- [X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 18-0020.
 - [X] Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
 - [X] Any patent application processing fees under 37 C.F.R. § 1.17.
- [X] A duplicate copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Dated: May 21, 2001

Barbara Rae-Venter

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Reg. No. 32,750

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BRV/cs